



2023 Session Highlights

Research Division • June 7, 2023

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Introduction

The First Session of the 59th Oklahoma Legislature is notable for the focus given to education. The Legislature made historic investments in public education, which included longevity-based pay raises for all certified staff, additional funding for literacy programs, and six weeks of paid maternity leave for teachers. Further, the Legislature enacted the Oklahoma Parental Choice Tax Credit Act to give parents more flexibility in determining their children’s educational needs. Funding was also set aside for the Redbud School Grant program to benefit rural schools that have less ad valorem tax collection

than other districts. While education issues were of great importance for the entirety of the session, the Legislature also spent time addressing illegal marijuana grow operations and improving the delivery of government services to Oklahomans. Other investments were made in affordable housing, health care, and home-based services for developmentally disabled individuals.

Alcohol, Tobacco, and Controlled Substances

HB 2095 modifies several components of law regarding medical marijuana licensing, regulations enforcement, and business operations. The licenses of any medical marijuana business licensee found to have intentionally not paid the tax on retail medical marijuana sales are to be revoked, and the revoked party is prohibited from being able to receive any other type of medical marijuana business license issued by the Oklahoma Medical Marijuana Authority (OMMA). Additionally, no more than one medical marijuana commercial grower license may be issued for any one property, and the measure caps 1,000 active medical marijuana commercial grower licenses in circulation.

OMMA is authorized to enter into agreements with other state agencies to enforce laws regulating medical marijuana, and the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma State Bureau of Investigation, as well as the Oklahoma Attorney General have full authority to investigate and enforce any violations of law regarding medical marijuana. OMMA and other entities that receive a complaint concerning noncompliance by a medical marijuana research licensee or a medical marijuana education facility licensee, may conduct unannounced, on-site inspections beyond the required biannual inspections. The authority is also required to refer all complaints alleging criminal activity to appropriate state or local law enforcement. Lastly, the measure extends the moratorium on processing and issuing new medical marijuana business licenses to 2026.

***SB 437** directs OMMA to create and maintain a registry of physicians who recommend medical marijuana to their patients. Any such physician must be listed on the registry beginning January 1, 2025. The application requirements for medical marijuana applicants under the age of 18 are modified to prohibit any two recommending physicians who are located at the same physical address, and at least one of the physicians must attest that the minor applicant has been under the routine care of the physician for not less than 1 year, or not less than five years, if the minor patient has been seen by the physician only through telemedicine.

SB 813 sets the initial, nonrefundable fee for a medical marijuana processor license, as well as all submissions of grower applications, renewal processor applications, and renewal dispensary applications at \$2,500. OMMA is authorized to operate a quality assurance laboratory for the purpose of conducting compliance testing of medical marijuana businesses, and requires the lab be used to provide recommendations for:

- All equipment and standards to be utilized by licensed medical marijuana testing laboratories;
- Standardized operating procedures when extracting and testing medical marijuana products;
- Samples taken from medical marijuana licensed business;
- The utilization of secret shoppers; and
- Analysis of any compounds that are not among the targeted analytes and are unknown, unidentified, tentatively identified, or known and injurious to human health if consumed.

SB 18X establishes the Medical Marijuana Tax Fund with all monies accruing in the fund to be appropriated at the discretion of the Legislature to fund substance abuse programs and common education, including but not limited to funding Redbud School Grants.

***HB 1715** overhauls the state's alcohol laws. The measure defines *seltzer* and modifies the definition of *beer* to mean any beverage containing more than 0.5 percent alcohol by volume that is obtained by fermentation of an infusion or decoction of barley, other grain, sugar, malt, or similar products. Cider is added to the list of products that a brewer may manufacture, sell, and serve at events.

The measure allows the holder of a small-brewer license to purchase from other licensed brewers within the state, and to import beer into the state for use in manufacturing. Brewer, small brewer, winemaker, distiller, or small-farm winery licensees are allowed to host off-site events approved by the ABLE Commission, and individuals under 21 years of age may be anywhere on the premises of an event, except for the serving area.

Finally, licensed vendors may sell up to six bottles or cans of beer in its original packaging or a reusable container for on-premises consumption.

HB 2281 prohibits the use of a "straw person" or "straw party" to purchase, or conspire to purchase any license or registration required to distribute, possess, prescribe, or manufacture any controlled dangerous substance on behalf of any other person.

HB 2165 requires an individual under the age of 21 who purchases, receives, or possesses a tobacco, nicotine, or vapor product using false proof of age to complete a tobacco use cessation program approved by the court. If the violator fails to complete the program they may be fined. Violators may also be required to complete a community service program or other appropriate program or service as the court orders. To ensure all programs and court orders are followed, the court will have jurisdiction over the violator for 12 months. The measure authorizes cities and towns to enact, and municipal police offices to enforce, ordinances that prohibit and penalize conduct that violates this law.

Children and Families

SB 33X requires that \$10 million from the funds appropriated to the Department of Human Services (DHS) be used for providing Home- and Community-Based Waiver services for people with developmental disabilities. These funds will be used to provide additional services and programs for persons with developmental disabilities in order to eliminate the Developmental Disabilities Services Division waitlist.

Additionally, the department will make permanent the supplemental daily reimbursement rate of \$5 for child care providers. DHS will also maintain the funding levels for senior nutrition programs and must have joint approval from the House and Senate before any senior nutrition sites may be closed.

SB 178 allows the court to order a trial reunification by returning the child to the care of the parent or legal guardian from whom the child was removed and setting a date to review within six months. If, at any time during the trial reunification, the reunification appears successful, the court may return legal custody to the parent or legal guardian. If the court determines trial reunification must be extended, the court will set a new date for review. A child must not spend more than 12 months in trial reunification. If the court determines supervision should continue after 12 months, the court may award legal custody of the child to the parent or guardian and order DHS to provide supervision.

HB 2462 clarifies which procedure a parent can use to vacate an order terminating parental rights.

HB 2452 prohibits local governing authorities from promulgating regulations that permit or require licensees of family child care homes to exceed or limit the statutory capacity.

***HB 1929** increases the age limit to receive successful adulthood services from 21 to 25.

SB 159 allows a parent or legal guardian to voluntarily participate in services related to the behaviors and conditions that led to a deprived petition being filed, prior to adjudication. Participation in such services will not be construed as an admission that the child is deprived and will not be used as evidence.

SB 40X appropriates from the Statewide Recovery Fund to the Department of Human Services:

- \$10.3 million to enhance and increase capacity for programs assisting in stabilizing justice-involved women, their children, and caregivers in the Tulsa area and surrounding rural areas; and
- \$2.5 million to allow more opportunities for working families with children, with and without special needs, to obtain high-quality child care.

Corrections

SB 844 directs the Department of Mental Health and Substance Abuse Services (ODMHSAS) to manage and oversee the County Community Safety Investment Fund. The Legislative Office of Fiscal Transparency is required to calculate the annual dollar amount of savings accrued due to the reduction of the number and length of incarcerations attributed to the enactment of State Question 780. The department is directed to issue a request for proposals by which county governments or multi-county partnerships may apply for funds to develop substance abuse rehabilitation, diversion from the criminal justice system, treatment, employment, or housing programs. The measure requires ODMHSAS to provide the with an annual report showing the amount awarded to each county. County governments must submit all necessary documents to meet the requirements outlined in the request for the proposal to be considered. The department will promulgate rules establishing qualifications to receive funding.

SB 12X creates the Mental Health Transport Revolving Fund and amends the regulations for the transportation of people in need of mental health services by law enforcement officers. A sheriff or peace officer may request an assessment by ODMHSAS at the initial point of contact for a person the officer believes requires treatment. The department may conduct the assessment via telemedicine or in-person through a licensed mental health professional. ODMHSAS or a contracted entity is responsible for transporting an individual if there is not an appropriate facility within 30 miles of the peace officers

headquarters, or if the officer has already transported the individual to an appropriate facility for initial assessment. The officer is required to provide transport to the nearest appropriate facility if an individual self-presents at a mental health or medical facility, or is placed into protective custody and is in need of an initial assessment or treatment. If the individual self-presents at a facility and is not placed under protective custody, the facility is responsible for transportation. Once an individual has been received by the appropriate facility, the department or a contracted entity is responsible for any subsequent transportation needs. If a facility director determines that an individual is not medically stable, ODMHSAS is required to immediately transport the individual to the nearest hospital.

HB 1546 directs the Department of Corrections to develop an “orange alert” communication system at each correctional facility to notify any resident within a 40-mile radius when a prisoner has escaped. Information on how a resident is to register is to be posted in a newspaper of record within the county in which the correctional facility is located. It is the responsibility of a resident wishing to be notified to register to receive the notifications.

County and Municipal Government

SB 951 raises the monthly travel allowance for county officers. County commissioner and sheriff allowances are raised from \$700 to up to \$1,000 per month. County assessor allowances are raised from \$600 to up to \$900 per month. County clerk, court clerk, and county treasurer allowances are raised from \$500 to up to \$800 per month. The measure also provides for county officer monthly travel allowances to be increased by two percent annually beginning in FY 2028.

HB 1066 clarifies that an incumbent county commissioner who runs unopposed or wins re-election at either the primary or the general election is allowed to deem county property as surplus during an election cycle in which two county commissioners are running for election at the same time.

HB 2361 requires a reserve minimum bid to be placed on properties being sold by a county that covers any taxes, abatement costs, penalties, interests, or other costs owed to a municipality, if notice is given to the county treasurer. The measure provides for property and nuisance property to be bid off in the name of a municipality if that municipality has outstanding liens on the property and requests it in writing. Lastly, the measure amends the definition of *nuisance property*.

Criminal Justice

HB 2041 allows a law enforcement officer who comes into contact with a person who has a misdemeanor warrant to issue a verbal warning about the existence of the warrant and advise the person to contact the clerk of the court to resolve the outstanding warrant. All verbal warnings must be documented by law enforcement on a department-issued warning ticket.

SB 420 extends from 1 year to 30 months the time frame in which a claim must be made to the Crime Victims Compensation Board. The measure clarifies that a self-inflicted injury is not to be attributed to the victim when the board finds the injury is a direct result of the crime committed against the victim. The compensatory amount available to a victim experiencing economic loss from injury or death is increased from \$20,000 to \$25,000. The amount that may be awarded specifically for loss of wages or loss of support for dependents due to a deceased victim is also increased from \$20,000 to \$25,000.

HB 2153 modifies the punishment for second, third or fourth offenses related to possessing, selling or purchasing controlled dangerous substances that occur within a 10 year period of the first conviction for the same crime. On the second offense, the court may order the defendant to complete a diversion program for up to one year in lieu of other punishments. On the third offense, the court can impose a fine up to \$1,000, up to one year of imprisonment, both fine and imprisonment and the completion of a substance abuse assessment and evaluation and diversion program for up to three years. If the defendant refuses to complete the program, the court may impose punishment as provided for in current law. For the fourth offense, the court can impose a fine up to \$5,000, between one and five years of prison, or both fine and imprisonment. The court may also order the defendant to complete a diversion program and, upon completing the program, change the felony charges to a misdemeanor.

SB 1000 allows the Oklahoma State Bureau of Investigation (OSBI) to inquire as to the condition and location of a sexual assault evidence kit that has not been submitted to a forensic laboratory within 20 days after receipt by a law enforcement agency. OSBI may initiate an investigation on any previously untested or partially tested sexual assault evidence kit.

HB 1328 provides that any equipment used or intended to be used to commit any act of catalytic converter theft, copper theft, and any violation of the Oklahoma Scrap Metal Dealers Act, including any monies derived from proceeds due to catalytic converter theft, copper theft, or violations of the Oklahoma Scrap Metal Dealers Act are subject to forfeiture.

HB 2054 modifies the crime of prostitution to include knowingly offering to pay a fee to another person for the purpose of engaging in sexual conduct. The measure

makes it unlawful for any person who pays a fee for a sexual encounter to publish a review of that sexual encounter or to publish a review of the pubic area, buttocks, or breasts experienced in the sexual encounter on a website that facilitates, encourages, offers, solicits, or promotes sexual conduct with another for a fee. The crime is a felony punishable by not more than three years or a fine of up to \$1,000 for the first offense, \$2,500 for the second offense, and \$5,000 for third and subsequent violations. The penalty increases to not more than 10 years and or \$5,000 for the first offense, \$10,000 for the second offense, and \$15,000 for third and subsequent violations if the person is under 18 years of age. Upon a third conviction, the person will be required to register as a sex offender under the Sex Offenders Registration Act and will be assigned a risk level of one. Upon a sixth conviction, the person will be assigned a risk level of two.

HB 2490 provides that persons who receive a suspended sentence that exceeds five years may request an early evaluation hearing after five years to determine whether the length of the suspended sentence should be modified. Persons convicted of an 85 percent crime or an offense listed as a violent offense or sex offense are not eligible to request the early evaluation.

Persons who receive a split sentence that exceed five years may request an early evaluation hearing after serving five years if the underlying crime was not an 85 percent crime, a domestic violence offense, an offense listed as a violent offense or sex offense. The court may modify the defendant's sentence if it determines he or she complied with the provisions of his or her probation, had no criminal violations during the term of probation, and has no pending revocation hearings.

A person may request an early evaluation after serving four years if the person has received a diploma, has maintained consistent employment during probation, has completed probation, had no additional criminal violations or pending revocation hearings and the district attorney does not object to the early hearing. Written notice will be made to the appropriate district attorney within 15 days of the offender requesting a hearing.

HB 2210 allows the court to adjust the punishment of an offender when it has been determined that the offender was trafficked, sexually abused, or assaulted by the victim within 90 days of the commission of the offense. The offender must have been a minor convicted as an adult for the offense. The court may depart from the mandatory minimum sentence, suspend any portion of the sentence, or transfer the minor to the juvenile division for further proceedings.

HB 2649 allows misdemeanor offenders to participate in the Oklahoma Community Sentencing Act.

SB 537 removes the requirement that a person committing assault by strangulation intends to cause

great bodily harm. The measure provides that assault by strangulation qualifies for the punishments currently provided for in statute.

SB 1046 increases the punishment for domestic abuse committed against a pregnant woman with knowledge of the pregnancy to a felony, subject to imprisonment for up to five years.

Economic Development and Business

SB 1177 creates the Perform Act, which provides rebate payments to a business for 10 percent of its qualified capital expenditures from April 1, 2023, through July 1, 2032. To qualify, the business must submit an application to the Oklahoma Department of Commerce and have at least \$1 billion in planned expenditures and meet certain new jobs thresholds. Overall, an eligible company could receive up to \$180 million split between five payment periods if it meets the 1,400 cumulative jobs requirement.

A related measure, **SB 1179**, appropriates \$180 million to the Perform Fund for the investment rebate program created in the Perform Act.

HB 1038X is an economic development appropriations of \$145 million to Oklahoma Department of Commerce to provide site improvements and facility upgrades at an industrial park.

SB 1176 modifies the incentive criteria for any investment rebate authorized pursuant to the Large-scale Economic Activity and Development Act of 2022 (LEAD Act). The measure lowers the new job requirement from 4,000 to 3,500 by year four and five of the rebate period. The measure also provides for the transfer of unencumbered funds in the LEAD fund to the General Revenue Fund if Oklahoma Department of Commerce does not have a binding investment commitment from a qualified company by April 15, 2023.

SB 14X doubles the annual inducement cap for approved projects from \$15 million to \$30 million.

SB 13X amends the Quality Jobs Program to increase the number of years that a sports team may receive incentive payments from 15 years to 30 years.

HB 1031X establishes the Oklahoma Homebuilder Program to fund urban and rural housing developments by providing loans to homebuilders with interest rates as low as zero percent. The measure also establishes the Oklahoma Increased Housing Program to create more affordable housing by allowing developers to apply for gap financing and homebuyers to apply for assistance in making down payments. The Oklahoma Housing Finance Agency will promulgate rules to administer both programs and provide yearly reports to members of the Legislature.

SB 39X appropriates \$500,000 to the Health Care Workforce Training Commission to establish a grant program with Northwestern Oklahoma State University for the purpose of recruiting, educating, and stabilizing Oklahoma's health care workforce. The measure also establishes a Statewide Recovery Special Account for the Health Care Workforce Training Commission.

HB 1965 allows electric, telecommunications, and broadband providers to utilize existing above ground-electrical utility easements to provide or expand access to broadband services.

Education

Common Education

HB 2901 appropriates a recurring \$500 million to the school funding formula, which will help schools pay for teacher raises and fund other expenses of their choosing. Further, the measure appropriates \$125 million into the School Building Equalization Fund, to be distributed to schools through the Redbud School Grants program, which help school districts with low property tax values pay for capital improvements.

SB 1119 provides certified teachers with a \$3,000 to \$6,000 pay raise, depending on their years of experience.

SB 1121 provides six weeks of paid maternity leave to teachers who have been employed for at least one year.

HB 2903 establishes a three-year pilot program called the School Resource Officer Program. School Resource Officers participating in the program must complete active shooter emergency response training.

HB 2904 appropriates \$150 million into the School Security Revolving Fund, which will help pay for the program.

SB 1118 provides the State Board of Education with \$10 million in order to establish a pilot program for employing a literacy instructional team, which will help school districts improve the reading skills of students across the state.

HB 1934 creates the Oklahoma Parental Choice Tax Credit Act, which establishes a tiered system of refundable tax credits for parents who send their children to private schools. The tax credits range from \$7,500 to \$5,000 per student, per year, depending on the income of the student's family. The measure also establishes a \$1,000 per-student tax credit for qualified expenses related to homeschooling.

SB 516 abolishes the Statewide Virtual Charter School Board and transfers its powers and duties to a newly created Statewide Charter School Board, which will have the sole authority to sponsor statewide virtual charter schools and may also sponsor brick-and-mortar

charter schools. Once established, the board will assume sponsorship of all existing virtual charter schools, and any charter school sponsored by the State Board of Education, for the remainder of their contracts.

SB 429 allows public school students, including public university students, to wear tribal regalia to graduation ceremonies, whether held at a public or private location.

Higher Education

SB 28X appropriates \$129 million to the State Regents for Higher Education to be used by state colleges and universities in the following manner:

- \$17.4 million for the incentive scholarship program and teacher employment incentive program;
- \$12.5 million to establish the National Guard Educational Assistance Fund;
- \$48.9 million for faculty pay raises;
- \$20 million to expand engineering programs;
- \$5 million for application-based health care;
- \$12.5 million to develop a critical workforce development initiative;
- \$12.5 million to ensure student success and institutional excellence; and
- \$200,000 to establish a food pantry.

HB 1013X authorizes the Oklahoma Capitol Improvement Authority to utilize \$79 million from the Legacy Capital Financing Fund to construct or expand animal teaching hospitals and related facilities.

HB 2863 creates a new state agency called the Oklahoma State University Veterinary Medicine Authority (OSUVMA), to be governed by a board of eight members, which will oversee and support the Veterinary Medicine Education programs at the OSU College of Veterinary Medicine. The authority may acquire facilities to use to teach and train students, conduct veterinary medical and biomedical research, and establish an animal hospital or clinic.

SB 840 updates the state's Name, Image, and Likeness (NIL) Rights Act. Some of most important updates in the measure include:

- Allowing a college to establish agreements with a third-party entity to facilitate NIL activities on its behalf;
- Allowing colleges and universities to adopt reasonable time, place, and manner restrictions to prevent a student's NIL activities from interfering with team activities, school operations, and the use of school facilities;

- Allowing a college or university to be compensated for the use of its logo or facilities in relation to NIL activities; and
- Prohibiting a collegiate athletic association from punishing a college or university team because a team member earns compensation for NIL, or because a team member has violated the athletic association's rules for NIL.

Elections and Ethics

HB 2052 requires that prior to the State of Oklahoma joining a multistate voter list maintenance organization, the organization must certify in writing to the Secretary of the State Election Board that the organization membership meets the listed requirements. The secretary must not join a multistate voter list maintenance if any requirements specified in the measure are a condition of organization membership.

HB 2682 prohibits any person from offering or providing any contribution, donation, or anything else of value for purposes of conducting or administering any election. The measure defines what will not be considered a contribution, donation, or thing of value.

***SB 290** increases compensation rates for certain election officials. For any election held on or after the act's effective date, compensation for the inspector will be \$225 and compensation for the judges and clerks will be \$200.

SB 410 prohibits people from electioneering within 300 feet of the entrance to a polling place or in-person absentee voting site or from a person that is standing in line to vote at these locations. Only election officials, voters registered and voting at the location, or an accompanying minor or other dependent will be allowed to remain in the election enclosure or within 50 feet of the polling place or in-person absentee voting site. The measure also prohibits any printed material not provided by the election board to be publicly placed or exposed within 300 feet of the entrance to a polling place or in-person absentee voting site. The measure also provides definitions of *electioneering* and *election enclosure*. The prohibition against electioneering will also apply to pollsters. Any person who breaks any of these regulations will be guilty of a misdemeanor.

***SB 377** adds being excused from jury duty for not being a U.S. citizen to the list of reasons to cancel a voter's registration. The measure also requires the court clerk in each county to provide the list of all persons judged incapacitated to the secretary of the county election board. The court clerk must also prepare a list of all persons excused from jury duty for not being U.S. citizens each month and provide the list to the secretary of the county election board. The secretary must cancel the registration of each registered person on the list and then report any

person or persons to the district attorney and the U.S. attorney with jurisdiction in that county.

SB 481 prohibits using an electronic communication device to knowingly make personal information of an election officer public, placing that individual in reasonable fear of death or serious bodily injury. The measure provides a definition of *election official*. The Secretary of the State Election Board is authorized to keep information on individuals of certain classes confidential. Any person who, directly or indirectly, threatens or intimidates any election official with the intent to improperly influence an election will be guilty of a misdemeanor, punishable by a fine up to \$1,000 or imprisonment in the county jail for up to six months, or both. This same punishment will also be given to any person who falsely impersonates an election official and performs any of their duties with the intent to improperly influence an election. The measure adds that any person who intentionally damages or attempts to damage any part of an election related system is guilty of a felony.

Energy and Natural Resources

HB 2942 appropriates \$28 million to Oklahoma Water Resources Board (OWRB) improve water infrastructure across the state, with a focus on infrastructure in rural areas.

***HB 2239** creates the Terry Peach North Canadian Watershed Restoration Act, which establishes a pilot program for managing and eradicating invasive woody species in the North Canadian Watershed.

***SB 502** creates the Oklahoma Electric Vehicle Charging Act, which ensures electric vehicle charging stations are not subsidized by the rate-payers of retail electric suppliers.

HB 2888 appropriates \$38.62 million to the Oklahoma Water Resources Board for water and wastewater system upgrades in Northeast Oklahoma.

Health and Long-Term Care

Health

SB 575 enacts an interstate counseling compact with the goal of improving public access to professional counseling services. Licensed counselors are authorized to practice remotely in member states' jurisdictions. The act also creates a Counseling Compact Commission that consists of one delegate from each member state and is authorized to elect an 11-member Executive Committee to carry out certain duties of the Commission.

SB 613 prohibits any health care provider from knowingly providing gender transition procedures to any child, and

finds any person violating this prohibition to be guilty of a felony. The measure establishes that the parent or legal guardian of a child provided one or more gender transition procedures may bring a civil action against the health care provider who provided the treatment, and the child who received the procedure may bring an action upon reaching the age of 18, and before reaching the age of 45.

HB 2175, creates the Behavioral Health Workforce Development Fund, which replaces the Mental Health Loan Repayment Revolving Fund. The State Department of Mental Health and Substance Abuse Services (ODMHSAS) is required to use the fund to increase the number of psychiatric residencies; expand licensure cohorts to increase the number of master's level clinicians; and develop training, recruitment, and supervision capacity. The measure requires ODMHSAS to work with health care loan repayment programs operated by other states, tribal, and federal agencies, with the goal of maximizing and coordinating resources to fill gaps in loan repayment availability for critically needed mental health professions.

HB 2422 authorizes Oklahoma to become a member state of the Recognition of EMS Personnel Licensure Interstate Compact.

***HB 2747** establishes the Alzheimer's Disease and Related Dementia Infrastructure Act, and creates the Office of Alzheimer's Disease and Related Dementia Resource Coordination within the State Department of Health (OSDH). OSDH will compile and publish an Alzheimer's Disease and Related Dementia State Plan and update the plan every four years. The measure further requires that OSDH maintain at least one dementia-specific trained and certified community health worker, health educator, or other relevant employee in each health district to serve Oklahoma residents.

SB 32X appropriates the following amounts of money to the Oklahoma Health Care Authority (OHCA) for the following purposes:

- \$30 million to provide grant funding to providers for the one-time connection to the state-designated entity for health information exchange;
- \$47.8 million to increase reimbursement to long-term care facilities by \$35 per day and reimbursement to intermediate care facilities for individuals with intellectual disabilities by \$17 per day; and
- \$200 million for one-time funding to critical access hospitals and hospitals participating in the Supplemental Hospital Offset Payment Program.

The measure also directs the Office of Management and Enterprise Services to transfer monies between the OHCA federal and revolving funds in amounts requested by the authority.

SB 710 allows a school nurse, or other authorized school personnel, to administer emergency opioid antagonist in an emergency regardless of whether there is a prescription or standing order in place.

SB 711 directs the Department of Mental Health and Substance Abuse Services to provide emergency opioid antagonists and develop an opioid overdose education program for inmates diagnosed with opioid use disorders or confined for an opioid-related offense through the Department of Corrections and county jails subject to federal funding.

SB 712 directs the Department of Mental Health and Substance Abuse Services to provide emergency opioid antagonists to hospitals subject to federal funding. Barring certain exceptions, hospitals must provide a person presenting opioid overdose or adverse event symptoms with two doses of an opioid antagonist and information relating to its use.

HB 1843 transfers all power to regulate, investigate, and enforce pharmacy network access for pharmacy benefits managers from the Insurance Commissioner to the Attorney General.

Long-Term Care

SB 369 requires an employer to conduct a criminal background check for a nurse aide prior to employment. An employer is prohibited from hiring or contracting with a person for a nurse aide position if the criminal background check finds that the individual has been convicted of, pled guilty or no contest to, or received a deferred sentence for, a felony or misdemeanor for any crime that resulted in the person being registered on the sex offender registry at any time or human trafficking. The measure also lowers, from 7 to 5 years, the time period that nurse aide may be precluded from employment for nonviolent offenses outlined in the bill.

HB 2753 requires the Office of the Attorney General to maintain a Vulnerable Adult Abuse, Neglect, and Exploitation registry to be updated quarterly with names, identifiable information, and case descriptions for individuals who have been convicted of abuse, neglect, or exploitation of a vulnerable adult.

HB 2824 transfers all employees, powers, functions, and duties of the Oklahoma State Board of Examiners for Long-Term Care Administrators to OSDH. The measure authorizes the Commissioner of Health to determine the qualifications, skills, and fitness of any person to serve as a long-term care administrator. The department is required to give any administrator who has violated the Long-Term Care Administrator Licensing Act an opportunity to participate in an independent informal dispute resolution process. OSDH may contract with an impartial third party or use an impartial panel to make a final determination of a potential violation.

Insurance

HB 1736 requires health benefit plans to implement a clear and transparent process for a participant or beneficiary with CRF-COPD (chronic respiratory failure consequent to chronic pulmonary disease) to request an exception to step therapy protocol in certain circumstances and cover the requested treatment.

SB 557 requires health care providers reviewing claims for mental health or substance use disorder treatments and services to have appropriate, qualified, and specialized credentials in such areas.

Judiciary

***HB 2794** requires state agencies to treat the covered information of any current or retired judge as private when the agency receives a written request by the judge or the Administrator Director of the Court. Eligible judges may also make the same request to any private entity that has publicly posted the covered information on the internet and may ask that the information of their immediate family members also be protected. The measure also prohibits any commercial entity from knowingly selling, licensing, trading, or purchasing private information pertaining to a judge or his or her immediate family. Additionally, the Administrator Director of the Courts is required to submit an annual report to the Legislature detailing the amount spent by the state and local governments to protect judges' information.

SB 19X creates the Family Representation and Advocacy Act, which creates the Family Representation and Advocacy Program within the Administrative Office of the Courts in order to ensure uniform and high-quality legal representation for children and indigent parents, legal guardians, and Indian custodians in deprived child actions. The central office will contract with, train, compensate, and support legal counsel for children, indigent parents, legal guardians, and Indian custodians appointed by the court. The program must ensure that all counsel have the training, support, and access to provide uniform and high-quality legal representation, however direct legal representation will only be provided in select appeals. The measure provides for the hiring of an executive director for the program who will then hire all staff and can contract with a legal entity and social workers as needed. The existing Offices of Public Defender will continue to provide representation for children in deprived children proceedings and may elect to contract with the program. The program will prioritize judicial districts where attorneys are unavailable for court appointments or are minimally compensated.

HB 1024X increases the daily juror pay from \$20 per day to \$50 per day.

HB 1396 provides a \$3,000 annual equipment allowance to court reporters that are eligible for longevity payments. The measure also increases the additional pay received by a court reporter for a registered professional, diplomat, merit, or real-time reporter credential from \$1,500 to \$2,000 per credential. The maximum additional pay that a court reporter can receive for holding all four credentials is also increased from \$6,000 to \$8,000.

Public Finance

HB 1004X is the FY 2024 general appropriations bill. The measure distributes \$11.3 billion to various state agencies. The total appropriated dollars for FY 2024, including supplements, equals \$12.9 billion.

Lawmakers got creative and established a mechanism to utilize the surplus revenue to self-finance current and future capital needs of the state with the passage of **HB 1002X**. Through the newly created Legacy Capital Financing Fund (LCF) administered by the Oklahoma Capitol Improvement Authority (OICA), the state can self-finance approved capital projects over a 20-year period without utilizing the bond markets. To provide additional flexibility, the Legislature can suspend or restructure the terms of an LCF recapitalization payments through the adoption of a concurrent resolution. The measure also includes a moral obligation clause for the Legislature, stating that the Legislature voluntarily subjects itself to fund and make legislative appropriations to cover LCF recapitalization payments for recipient state agencies.

\$350 million worth of capital projects were approved for self-financing this session, including:

- **HB 1009X**, which authorizes \$46 million for upgrades to existing Oklahoma Historical Society facilities;
- **HB 1011X**, which authorizes \$70 million for upgrades to the Jim Thorpe Building, \$19 million for repairs to the Capitol complex tunnels and \$26.3 million to renovate the Kelly Building and Kelly Annex as a day care facility;
- **HB 1012X**, which authorizes \$20 million for the Department of Public Safety (DPS) to create a Wireless Information Network; \$59.6 million for DPS to build a training center and \$8 million for DPS to upgrade DPS facilities;
- **HB 1013X**, which authorizes \$79 million for the Oklahoma State University Veterinary Medicine Authority to construct a new veterinary teaching hospital;
- **HB 1014X**, which authorizes \$17.6 million for upgrades to Department of Libraries facilities; and

- **HB 1032X**, which authorizes \$3.9 million for construction of a new training facility for the Council on Law Enforcement Education and Training.
- **SB 1131** repeals the bonding authority for the State Department of Health to build a new State Health Laboratory.

Public Safety

SB 623 continues the modernization of Oklahoma's driver license delivery system by updating statutory references to reflect Service Oklahoma's responsibilities regarding driver licenses and motor vehicle registration. Commercial and driver learner permits may now be issued for a period of one year instead of 180 days. Service Oklahoma must require each driver education instructor applicant to submit to an electronic national criminal history record check, and applicants for a restricted commercial license must have held a driver license for at least one year and have a good driving record for the most recent two-year period. Persons applying to be a licensed operator must be a resident of the state for six months prior to submitting an application for a license to operate a designated Service Oklahoma location. Operators that move their primary residency outside of the state must notify Service Oklahoma and sell their license within 90 days. Any operator may sell his or her license within a five-year period beginning with January 1, 2023.

SB 37X establishes Service Oklahoma as a separate and distinct agency by removing it from under the auspices of the Office of Management and Enterprise Services (OMES). Service Oklahoma and OMES may enter into an agreement for the transfer of personnel from OMES to Service Oklahoma. No employee is to be transferred to Service Oklahoma except on the freely given written consent of the employee. All employees who are transferred to Service Oklahoma will not be required to accept a lesser grade or salary than presently received.

HB 1390 extends the time at which a purchaser of a new or used motor vehicle, travel trailer, or commercial trailer must obtain registration and title for the vehicle or trailer, from 30 days to two months from the date of purchase. The measure allows a temporary license plate to be valid for two months.

HB 2011 directs Service Oklahoma to promulgate rules and procedures to establish an option for a biennial registration for all vehicles other than manufactured homes, vehicles with a permanent non-expiring license plate, and commercial vehicles registered pursuant to an installment plan.

HB 1962 provides that any person 14, 15, and 16 years of age employed on a farm may apply for a farm permit authorizing the person to operate any Class D motor

vehicle. The measure provides restrictions on operation of a motor vehicle while in possession of a farm permit.

HB 2010 requires any motorized vessel to have a carbon monoxide warning sticker in plain view to the interior of the vessel. The Department of Public Safety (DPS) is required to develop a carbon monoxide warning sticker and literature on the dangers of carbon monoxide and boating. Service Oklahoma is to provide the stickers and literature to vessel owners in annual registration materials at no cost.

HB 2684 provides that a person is guilty of endangerment of an emergency worker if a driver fails to change lanes into a lane that is not adjacent to a stationary emergency vehicle, maintenance vehicle, or licensed wrecker if the highway consists of two or more lanes. The penalty for endangerment of an emergency worker is punishable by a fine of \$1,000 for a first offense and \$2,500 for a second offense. The measure creates a penalty for aggravated endangerment of an emergency worker when the offense results in the injury or death of an emergency worker. The penalty is a fine of \$5,000 if the offense resulted in injury and \$10,000 if the offense resulted in the death of an emergency worker.

HB 1590 raises the monthly 911 telephone fee from 75 cents to \$1.25 for all services with the ability to dial 911, including landlines, beginning November 1, 2023. It also raises the amount of 911 telephone fees that are deposited into the Oklahoma 911 Management Authority Revolving Fund from 5 cents to 22 cents. Proceeds from the increase in fees will be used to fund Next Generation 911 technology statewide. The distribution of revenue from 911 fees has also been modified. Eligible governing bodies are to be given a flat rate of \$3,000 per month per public safety answering point. Of the remaining revenue, 10 percent will be distributed based on response area and 90 percent will be distributed based on population.

Revenue and Taxation

HB 1039X eliminates the franchise tax and any associated franchise tax reporting requirements, effective tax year 2024.

HB 1040X modifies the income amount subject to the 3.75 percent personal income tax bracket for joint filers from \$2,400 to \$4,600. The bill addresses what is commonly referred to as the “income tax marriage penalty.”

HB 1008X increases the income qualifier to qualify for an additional homestead exemption from \$25,000 to \$30,000.

HB 1029X creates an income tax credit for 50 percent of eligible expenditures incurred by a family caregiver for the support of an eligible family member ages 62 or older. The tax credit may be claimed beginning tax year 2024 and is subject to a \$1.5 million annual cap. Taxpayers are

limited to a \$2,000 credit per family member, or \$3,000 if the family member is a veteran or is diagnosed with dementia.

***SB 984** changes the formula for the levy of the 1.25 percent sales tax on motor vehicles when the purchase transaction includes a trade-in vehicle. Sales and use tax for such sales will only be levied on the purchase price of the new vehicle minus the value of the trade-in vehicle.

HB 2542 expands a tax credit for investments in clean-burning motor vehicles to include hydrogen powered vehicles and hydrogen car conversion equipment.

State Government

HB 2263 modifies who appoints members to the Oklahoma Turnpike Authority by establishing that the Governor, Speaker of the House of Representatives, and the President Pro Tempore of the Senate are to appoint two members each. Currently, the Governor appoints all six members. Member term limits are reduced from eight years to six years, however current members are allowed to serve out the rest of their original term. Appointed members can be removed at any time with cause by the appointing authority. Lastly, the measure prohibits members from voting on any issue in which they have a direct financial interest.

SB 16X allows any full-time state employee who has worked for the state for at least two years to take six weeks paid maternity leave for the birth or adoption of the employee’s child. Employees granted maternity leave are to receive their annual salary without interruption.

HB 1027X increases the annual leave accumulation and carryover limits for state employees with 5 or more years of service from 480 hours to 640 hours.

HB 2820 extends the Oklahoma Educational Television Authority until 2026 in accordance with the provisions of the Oklahoma Sunset Law.

***HB 1774** exempts the Oklahoma Tourism and Recreation Commission from the competitive bidding requirements of the Oklahoma Central Purchasing Act when soliciting, negotiating, and effectuating contracts for feasibility studies relating to the leasing, selling, or private management and development of their properties. The measure clarifies that exemptions cannot be used for the leasing or contracting of state-owned restaurants in state parks. Additionally, the measure allows the Tourism and Recreation Department to purchase décor from entities other than state prisons and reformatories, and also allows the agency to select regional vendors, rather than enter into statewide contracts for the operation of department-owned facilities.

State Powers

SB 404 deems any exclusion of a person or entity from participation in or receipt of governmental funds, benefits, programs, or exemption based solely on religious character or affiliation as a substantial burden.

HJR 1017 authorizes a delegation of commissioners to attend and participate in a gathering of states proposed by any state legislature and to serve at an Article V Convention. The delegation is to be composed of seven commissioners, made up of current and former members, appointed by the Speaker of the House of Representatives and the President Pro Temp of the Senate. The measure also creates the Article V Convention Committee to advise the delegation of commissioners on the Legislature's position on issues, to monitor, and to discipline any commissioner in violation of their oath of office.

HJR 1032 submits an application to Congress to call a Constitutional Convention to amend the U.S. Constitution for the purpose of establishing congressional term limits.

Transportation

SB 930 establishes the Aero Student Pathways for Aerospace Careers and Education (AeroSPACE) program. The program is required to address the workforce needs of the aviation and aerospace industry by implementing a statewide aerospace educational curriculum initiative. The program is also tasked with partnering with primary and secondary schools, career technology centers, and higher education providers to promote and organize

curriculum, enhanced classroom instruction, and research based educational programs.

SB 939 extends the term limit for the Board of Directors for the Oklahoma Space Industry Development Authority from two four-year terms to three four-year terms. It also clarifies that an appointment to complete an unexpired term does not count toward that member's three four-year term limit.

***SB 942** creates the Oklahoma Aircraft Engine Testing Development Grant Program for the purpose of giving grant assistance to public or private entities to help increase aircraft engine testing capabilities and to develop aircraft engine testing infrastructure in Oklahoma. Public, private, and nonprofit entities are eligible for the one-time grant award if they have sufficient financial and management capacity to complete the requested project.

Veterans and Military Affairs

HB 1036 creates the Veteran Suicide Prevention Task Force, a nine-person task force that will study and make recommendations regarding causes and prevention of suicide among Oklahoma veterans. Appointments will be made 60 days after the act's effective date and the appointing authorities must coordinate appointments to reflect the best interests of veterans. The task force is to sunset November 30, 2024, the date by which they must also submit a report of their findings and recommendations.

HB 2887 appropriates \$10.9 million to the Oklahoma Department of Veterans Affairs for construction costs at the pending Sallisaw long-term care facility.

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